

**TIVERTON PLANNING BOARD
MINUTES OF MEETING
December 2, 2008**

Chair Stephen Hughes called the regular meeting of the Tiverton Planning Board to order at 7:08 P.M. at the Town Hall, 343 Highland Road. Members present were: Ms. Cote (arrived at 7:20 P.M.), Ms. Sylvester, Mr. Corr, Mr. Moniz, Mr. DiMauro, Mr. McDonald and Mr. Hardy. Also in attendance were the Board's legal counsel Peter D. Ruggiero, Town Planner and Administrative Officer Christopher Spencer, Deirdre Paiva of Commonwealth Engineers and Consultants, the Planning Board's consulting engineer, and Director of Public Works Stephen Berlucchi.

1. Paul J. Jr. & Beth Ann Amarello – 896 Main Road – Tiverton, RI 02878 – Minor Subdivision (Road Required) – Final Plan Review – E/S Main Road, S/S Albert Street – 4 Lots (2 in GC & 2 in R-60) (TC - 12/11/08) Attorney Jeremiah Leary, engineer John Braga and Ryan Bigos (Paul Amarello's son) were present on behalf of the petition. Mr. Leary noted that this petition had received Conditional Preliminary Plan Approval on May 20, 2008 and on August 6, 2008; the petition received required variances from the Zoning Board. Mr. Leary reviewed the deficiencies on the October 27, 2008 Certificate of Completeness (See file) and noted that the Tax Collector's tax certificate had been submitted. Copies of the Zoning Board approval were submitted.

Mr. Leary reviewed the items in Commonwealth's memo dated December 1, 2008 (See file). He stated that the cover sheet would be stamped and signed by Mr. Braga. A discussion ensued regarding the total area calculation for the easements and additional permanent bounds. Ms. Paiva asked if the proposed access would be a private road, or part of the new rear lots. Mr. Leary replied that it would be a private road, with the proposed name of Bigos Way. Ms. Paiva stated that the note regarding maintenance of the grass swale should be extended or expanded to cover all required maintenance. Mr. Leary submitted the homeowners' agreement / easement, noting that Lots 3 and 4 would share joint responsibility for maintenance.

Mr. Corr inquired about the radius of the cul de sac. Mr. Braga replied that it was fifty (50) feet, as depicted on Sheet 3. Mr. Corr asked if the frontage for Lot 1 would require zoning relief, since it was only 102.59 feet (120 feet required). Mr. Leary replied that all zoning relief required by the Zoning Officer had been received and noted that lot width had been addressed in the Zoning Board Decision. However, Mr. Leary agreed to discuss the issue with the Zoning Officer.

Mr. Ruggiero asked if a note had been added to the plans restricting commercial expansion on Lot 2, as required by the Zoning Board. Mr. Leary replied that it was on the lower left corner of Sheet 3. Mr. Ruggiero suggested that notice should be recorded in the Land Evidence Records calling out that note, so that a title examiner/researcher would easily find it. He asked if there was an easement recorded for the right of way and also suggested that the petitioner should file a restriction on alienation of property.

Mr. Leary distributed suggested language regarding the private improvements, similar to the note included on the Bayview Land Development Plan. He stated that no Certificate of Occupancy would be issued for Lots 3 or 4 until the infrastructure was constructed and certified [built per plans] by a professional engineer. A brief discussion ensued regarding surety on private improvements, with Mr. Ruggiero noting that there was a conflict in State Law versus local regulations, which could lead to a legal problem enforcing the Town's regulation. A discussion ensued. Mr. Corr expressed his concern regarding precedent, stating that he would rather take his chance in court than allow a large developer to work with no surety. Mr. Leary stated that precedent had already been set with the Bayview Development. Mr. Spencer added that the same process was also being used for the Bourne Mill redevelopment. Mr. Ruggiero opined that it would be better to not have the municipality involved in the inspection of private improvements, but to receive certification instead.

Mr. Berlucchi stressed that the private road would receive no trash pick-up, plowing, sanding or other maintenance by the Town. Mr. Moniz asked if a notice could be included in the deeds regarding the services.

Mr. Leary replied that he could include a notice and that the deed would already read that they grantee was bound by the recorded homeowner's declaration.

The Chair polled the Board members for their thoughts on surety. Ms. Sylvester asked how the Building Official would be notified of the requirement. Mr. Leary replied that there would be a note on the plans. Mr. Ruggiero stated that it should be part of the decision letter and that a separate letter could also be sent to the Building Official.

Mr. Moniz asked who would inspect the water line installation. Mr. Leary replied that it would fall under the purview of the North Tiverton Fire District (NTFD).

Mr. DiMauro expressed his concern regarding future homeowners and any maintenance issues that might arise. Mr. Ruggiero stated that these issues would be addressed via documentation.

Mr. Moniz asked Mr. Leary to give a brief overview of the petition for the new Board members. Mr. Leary did so. Mr. Moniz asked if the garden pond existed. Mr. Braga replied in the affirmative. Mr. Moniz asked if the petitioner would return to the Planning Board prior to construction on Lots 3 and 4. Mr. Leary replied in the negative, stating that the application to build would be made to the Building Official.

Ms. Paiva stated that she did not have any other outstanding issues with regard to the petition. The Chair noted that suitable land was listed twice on Lot 1. Mr. Braga agreed to correct the error. The Chair noted that only minor issues were remaining and that recording could be held until they are completed.

The Chair reviewed the Required Findings aloud; Land Development and Subdivision Regulations Section 23-45 a. (1-5). Ms. Sylvester made a motion to make positive findings. Ms. Cote seconded the motion. The motion passed unanimously. Ms. Cote, Ms. Sylvester, Mr. Hughes, Mr. Corr, Mr. Moniz, Mr. DiMauro, Mr. McDonald and Mr. Hardy voted in favor.

Ms. Sylvester made a motion to grant Final Plan Approval, with the corrections and revisions as noted made prior to recording. They included:

- Ensure that the proper stamps and signatures are on the plans for recording,
- Expand the easement language to cover all maintenance,
- Add two permanent bounds, as discussed,
- Record the note [in Land Evidence Records] restricting expansion of the commercial uses on Lot 2,
- Include the easement right of way on Lot 4,
- Place a note in the deed stating that there would be no town services for the private road (trash, maintenance, plowing, sanding, etc.),
- Correct the note on Lot 1 regarding suitable land (suitable land was listed twice),
- Submit sample easement and deed language for the file,
- Submit a letter from Commonwealth regarding approval for storm water and street design (Mr. Berlucchi had agreed to defer to Commonwealth on this item),
- Ensure that the scale is maintained when the plan size is reduced for recording, and
- Add the note to the plans regarding certification of the private improvements.

Mr. Hardy seconded the motion. The motion passed unanimously. Ms. Cote, Ms. Sylvester, Mr. Hughes, Mr. Corr, Mr. Moniz, Mr. DiMauro, Mr. McDonald and Mr. Hardy voted in favor.

2. The Wilbur Family, LLC – c/o Donald Wilbur – 85 East King Road – Tiverton, RI 02878 – Minor Subdivision (No Road Required) – Final Plan Review – E/S Crandall Road, S/S East King Road – 2 Lots (TC - 12/13/08) Attorney Jeremiah Leary, engineer William Smith of Civil Engineering Concepts and applicant Donald Wilbur were present on behalf of the petition. Mr. Leary stated that the petition had received Conditional Preliminary Plan Approval on June 3, 2008, zoning relief had been granted on August 6, 2008 and

no deficiencies were listed on the October 29, 2008 Certificate of Completeness (See file). He noted that the easement to the dwellings on the Fall River side of the property had been prepared and submitted, with one correction made.

The Chair asked if there was an approved septic design for Trailer #85R, which would remain on the property. Mr. Smith replied in the affirmative. The approval, dated May 5, 2008 had been submitted for the file. Mr. Corr asked if the other buildings on the property had been removed, as agreed to at the Board's June 3, 2008 meeting (See minutes). Mr. Leary replied that #68 had not been removed since they were appearing before the City of Fall River officials the following week for permission to move the structure across the State Line. Mr. Ruggiero stated that certification of the removal would be needed prior to recording and a statement should be submitted for the record. Mr. Smith stated that he would revise the plans accordingly and would add the septic information for #85R.

Mr. DiMauro asked if the easement would include the utilities. Mr. Smith replied that there would be a separate agreement with the utility companies. Mr. Ruggiero noted that the Board had only looked at physical access. Mr. Corr asked if there was only one (1) dwelling unit on Lot 1 and if the apartment over the garage had been removed. Mr. Wilbur replied in the affirmative to both questions. Mr. Hardy asked if Lot 2 would be sold. Mr. Leary replied in the affirmative.

The Chair reviewed the Required Findings aloud; Land Development and Subdivision Regulations Section 23-45 a. (1-5). Mr. Hughes made a motion to make positive findings. Ms. Cote seconded the motion. The motion passed unanimously. Ms. Cote, Ms. Sylvester, Mr. Hughes, Mr. Corr, Mr. Moniz, Mr. DiMauro, Mr. McDonald and Mr. Hardy voted in favor.

Mr. Corr made a motion to grant Final Plan Approval with corrections as noted, including the addition of the septic information [on the plan] for #85R and the removal of #68 from the property. Ms. Cote seconded the motion. The motion passed unanimously. Ms. Cote, Ms. Sylvester, Mr. Hughes, Mr. Corr, Mr. Moniz, Mr. DiMauro, Mr. McDonald and Mr. Hardy voted in favor.

3. Phyllis Peterson – Administratrix of Robertshaw Estate – 160 Walnut Street – East Providence, RI 02914 – Administrative Subdivision – Variance Required – Concept Plan Review – Map 1-11, Block 92, Cards 31 & 33B – E/S Highland Road, across from Brightman Avenue – Adjustment of Common Property Line (no time clock) Attorney Jeremiah Leary, engineer William Smith of Civil Engineering Concepts, applicant Phyllis Peterson and Douglas Reid, owner of Card 31, were present on behalf of the petition. Mr. Leary stated that the Robertshaw Estate owns Card 33B (over 35 acres) and Card 36 (approximately 61 acres). Card 36, located directly to the south, was not part of this petition. He stated that the only access to Cards 33B and 36 was over a fifteen (15) foot wide gravel right of way, located on an abutting parcel. He stated that the purpose of this Administrative Subdivision was to provide a fifty (50) foot access from Highland Road. Mr. Leary noted that the proposed frontage would be substandard, since one hundred-twenty (120) feet is required. He requested that the Board make a favorable recommendation to the Zoning Board.

Mr. Corr asked who owned the right of way. Mr. Smith replied that it was owned by the Drapeau's. Mr. Smith stated that the farm (Robertshaw Estate property) currently had no frontage. Mr. Corr asked if the wetlands had been delineated. Mr. Smith replied that they had been flagged by a biologist, but not verified by RIDEM (Rhode Island Department of Environmental Management). Mr. Corr noted that in order for the proposed fifty (50) foot access to be used, wetlands would have to be crossed. He asked if RIDEM had been consulted and if the wetlands were crossable. Mr. Smith replied that only general discussions had occurred, since there were no specific plans for development. Mr. Leary noted that the property to be annexed from the Reid parcel was not wet.

Mr. Hardy noted that 5.7 acres would be added to the Reid parcel and asked if they intended to subdivide. Mr. Reid stated that he would like to leave the option open.

Mr. Hardy inquired about the intentions of the Robertshaw Estate. Ms. Peterson replied that she would love to sell the property to the Land Trust and stated that she was not a developer and was not in negotiations with anyone. Mr. Hardy asked how she would propose to develop a fifty (50) foot roadway. Ms. Peterson replied that she did not intend to develop anything. Mr. Spencer noted that development of the parcel would require Planning Board review.

Mr. Ruggiero stated that this was a Pre-Application / Concept Plan Review and that a vote for approval could not be taken. He stated that the Board could give an advisory opinion to the Zoning Board and that the petition would need to return to the Planning Board after receiving Zoning Board approval.

Mr. Corr made a motion to write a favorable letter of recommendation to the Zoning Board for the subject Administrative Subdivision petition. Mr. Moniz seconded the motion.

A discussion ensued with Mr. Hardy inquiring about the rationale of not supporting the Zoning Ordinance as written. Mr. Ruggiero stated that the Planning Board's standard should be consistency with the Comprehensive Community Plan and that the Zoning Board would apply the dimensional variance standards. Mr. Hardy expressed his concern regarding possible effects on the Stone Bridge area of the Town. Mr. Moniz noted that the lot was completely landlocked. Mr. Leary stated that the lot would be made more conforming by creating some physical frontage. Mr. Hardy expressed his concern regarding precedent, stating that there should not be a presumption in favor of opening up landlocked parcels for development.

The motion passed 7-1. Ms. Cote, Ms. Sylvester, Mr. Hughes, Mr. Corr, Mr. Moniz, Mr. DiMauro, and Mr. McDonald voted in favor. Mr. Hardy was opposed.

4. Brian Kronsberg – 26 Last Street and Richard & Claire Evans – 36 Last Street – Tiverton, RI 02878 – Administrative Subdivision – Referred by Administrative Officer (Zoning Variance(s) Required) – S/S Last Street – Block 45, Cards 87 & 88 – Adjustment of Common Property Line (TC- 12/19/08) Applicant Brian Kronsberg was present on behalf of the petition. Revised plans depicting contours were distributed, along with photographs taken by Mr. Spencer. The Chair noted that the photos depicted the retaining wall that would correspond with the proposed new location of the common property line. Mr. Kronsberg noted that the existing property line was 18.25 feet from the wall. He stated that the 18.25 feet was more usable to him than to his neighbor due to the topography and that they would like to shift the property line to avoid future maintenance issues. There were no changes proposed to the current structures on the properties (dwellings, garage, retaining wall), the only change would be the relocation of the property line to correspond with the location of the existing retaining wall.

Mr. Spencer noted that the proposed garage setback and substandard square footage would require Zoning Board approval. The Chair stated that the Board could give a recommendation to the Zoning Board. Mr. Corr suggested an easement around the existing garage, which would be one (1) foot from the new property line. He stated that an easement would be desirable to allow for painting, roofing or other maintenance to the garage. A discussion ensued. Mr. Ruggiero suggested that the applicant could go to the Zoning Board and include any easement after receiving Zoning Board approval. Mr. Kronsberg agreed that he would prefer to set up an easement after appearing before the Zoning Board.

Mr. DiMauro asked if public water and sewer serviced the property. Mr. Kronsberg replied in the affirmative. Mr. Spencer noted that the properties had addresses on Last Street, but their frontage was on Trailer Avenue. Mr. Kronsberg noted that the addresses used to be on Randolph Avenue. Mr. Spencer agreed to check with the Fire Department regarding that issue.

Mr. Hardy made a motion to make a positive recommendation to the Zoning Board in support of the any relief required for approval of this petition. Mr. Corr seconded the motion. The motion passed unanimously. Ms.

Cote, Ms. Sylvester, Mr. Hughes, Mr. Corr, Mr. Moniz, Mr. DiMauro, Mr. McDonald and Mr. Hardy voted in favor.

5. Richard K. St. Aubin (Applicant) – 10 Cole Brook Road – Little Compton, RI 02837 and Jason Peckham (Owner) – Pond Bridge Road – Tiverton, RI 02878 – Minor Subdivision (No Road Required) – Final Plan – E/S High Hill Road, South of Fogland Road – Sea Smoke Landing – 3 Lots (TC – 1/9/09)

Applicant Richard K. St. Aubin was present on behalf of the petition. Mr. St. Aubin stated that the requested revisions had been made to the plan, including the revised RIDEM (Rhode Island Department of Environmental Management) application number. Mr. Corr asked if the stone wall would be preserved. Mr. St. Aubin replied in the affirmative, pointing out a note on the plans to that effect. This petition would yield one (1) new lot for Mr. St. Aubin, with Mr. Peckham retaining ownership of the remaining acreage of the existing two (2) lots.

Mr. Spencer noted that the RIDEM application number had been corrected on the plans dated October 25, 2008, but that the RIDEM approval date was still incorrect. A discussion ensued. Mr. Spencer stated that the plans listed an [soil evaluation] approval date of January 14, 2005, which did not match up with any of the RIDEM paperwork. Mr. St. Aubin stated that he had made three (3) trips to RIDEM to obtain the correct information. Mr. Spencer noted that there were three (3) RIDEM files for the parcel, including one soil evaluation by Bill Smith that did not impact this proposed subdivision but was part of a larger plan for the remainder of Mr. Peckham's property. He stated that no date on any of these files corresponded to the January 14, 2005 listed on the plans. Mr. St. Aubin stated that he would have the date on the plans corrected. Mr. Corr expressed his displeasure that only one copy of the October 25th revised plan was submitted and that the Board members only had copies of a previous version.

Mr. Ruggiero asked who the septic designer was. Mr. St. Aubin replied that the designer was Nicole Letendre. Mr. Ruggiero suggested that Ms. Letendre should contact Mr. Spencer directly.

The Chair noted that the plans would need to be corrected, with copies given to all Board members. He asked if the applicant would extend the time clock to February 15, 2009 in order to allow for a continuance to January 6, 2009. Mr. St. Aubin agreed. Mr. Corr made a motion to continue to the January 6th meeting. Mr. Hardy seconded the motion. The motion passed unanimously. Ms. Cote, Ms. Sylvester, Mr. Hughes, Mr. Corr, Mr. Moniz, Mr. DiMauro, Mr. McDonald and Mr. Hardy voted in favor.

6. Beech Hill Real Estate, LLC – c/o Eric P. Chappell, Esq. (Agent) – 171 Chace Road, PO Box 8 – Portsmouth, RI 02871 – Status of Surety Extension Expiration – December 31, 2008 (\$200,000) – Beech Tree Hill Subdivision No one was present on behalf of the petition. The Chair stated that he had spoken with Mr. Laureanno and his banker (Bank Five Vice President Robert Collins) last month. Mr. Collins had sent an email stating that the two-year Letter of Credit extension would be forthcoming. The Chair stated that he had told Mr. Laureanno that either he or his attorney would need to attend this evening's meeting. Mr. Ruggiero suggested that the Planning Board could authorize the Chair to call the Letter of Credit if the extension was not received.

Mr. Corr made a motion to call the surety if the two-year extension and the \$500 fee were not received by December 12, 2008. Ms. Sylvester seconded the motion. The motion passed unanimously. Ms. Cote, Ms. Sylvester, Mr. Hughes, Mr. Corr, Mr. Moniz, Mr. DiMauro, Mr. McDonald and Mr. Hardy voted in favor.

7. Campanelli Properties of Tiverton, Inc. – c/o Jeremiah Leary, Esq. – 1340 Main Road – Tiverton, RI 02878 – Requesting Reduction in Amount of Surety – Current Surety: \$920,000 – Expires 2/28/2011 – Cottrell Farms Major Subdivision Attorney Jeremiah Leary was present on behalf of the petition. Mr. Leary requested a reduction in surety from \$920,000 to \$835,000. The Chair noted that after Mr. Berlucchi had issued his letter (dated November 4, 2008 – See file) recommending an \$835,000 surety, the applicant's engineer, Lyle Bookbinder of DiPrete Engineers, had come with back a revised figure of \$845,146.01.

After a brief discussion, Mr. Hardy made a motion to reduce the surety to \$845,000. Ms. Sylvester seconded the motion. The motion passed unanimously. Ms. Cote, Ms. Sylvester, Mr. Hughes, Mr. Corr, Mr. Moniz, Mr. DiMauro, Mr. McDonald and Mr. Hardy voted in favor.

8. Sylvester DaSilva – 39 Cherry Lane – Tiverton, RI 02878 – Major Land Development (Road Required) – Informal Concept Plan Review – Map 4-12, Block 99, Card 70A – E/S Stafford Road, north of Bridle Way – Five (5) three-unit townhouses (15 units) - (no time clock) Engineer William Smith of Civil Engineering Concepts and Sylvester and Steven DaSilva were present on behalf of the petition. Mr. Smith described the parcel as being on the east side of Stafford Road north of Bridle Way and a proposed development. He noted that Zoning Board relief would be required for multiple structures on the property as well as the allowance of multi-family structures in an R-60 zone. Public water and OWTS (Onsite Wastewater Treatment Systems) would be utilized and there would be an eighty (80) foot [diameter] turnaround, and garages underneath the units. The storm water drainage design was described. The wetlands edge had been verified by RIDEM (Rhode Island Department of Environmental Management). He added that an updated PAP (Physical Alteration Permit) from RIDOT (Rhode Island Department of Transportation) would be needed because the use of the existing access would be changed (the property is currently used for hay). Mr. Smith stated that twelve (12) units would be allowed on the property by right and that a 30% density bonus (with 20% affordable units) had been assumed.

Mr. Hardy asked if pervious or impervious paving would be used. Mr. Smith replied that impervious would be used. Mr. Hardy suggested pervious paving and asked if trees would be used to screen the development from the road. Mr. Smith replied that they would be willing to screen with some vegetation and that the buildings would be located downgrade of the road. Mr. Hardy asked if underground utilities would be utilized. Mr. Smith replied in the affirmative. Mr. Hardy opined that a larger proportion of affordable units would be preferable.

Mr. Hardy inquired about the type of construction proposed. Mr. DaSilva replied that the units would be stick built, probably with vinyl siding. He stated that he would like the units to look nice and fit in with the neighborhood. Mr. Corr stated that he would prefer shingles to vinyl. Mr. Smith stated that an architect would be involved in the future.

Mr. Spencer noted that 30% affordable units was required for multi-family developments, which would equal 3.6 units (rounded up to 4), with 16 total units allowed. Mr. Ruggiero noted that it was the Planning Board's prerogative on how much of a density bonus would be allowed.

Mr. Spencer asked if Mr. Smith had considered low impact storm water design utilizing swales. Mr. Smith replied that, because of the gradient, drainage would be needed in the roads. He stated that retaining walls would also be needed and added that he would look into the potential for swales.

Mr. DiMauro inquired about the location of the front doors and suggested that the buildings should not be hidden from the street, but should instead be attractive. He suggested that the buildings should be clustered around the cul de sac more, with varied building design to create a village feel. He asked if a shared septic system would be used. Mr. Smith replied in the affirmative, noting that pumps would be utilized. Mr. Smith stated that he had tried to stagger the units so that they wouldn't be looking at each other. Mr. Spencer stated that he would not like to see townhouses with blank sides. Mr. Hardy stated that he would like to see architectural renderings for the buildings.

Mr. Spencer suggested that an Ad Hoc Technical Review Committee (TRC) meeting should be held prior to Master Plan, which would avoid unnecessary expenses for the developer. A discussion ensued regarding potential net tax revenues and the appearance of the units.

Mr. Moniz stated that he would like to see trees on the street side of the development. Mr. Spencer stated that he would not like to see a row of arborvitaes along Stafford Road, but would prefer enhancement to screening and he stressed the importance of good design, including the appearance of the garage doors.

A discussion ensued regarding the affordable units, with Mr. Smith stating that they would probably work with Church Community Housing. Mr. Spencer asked if the units would be rentals or condominiums. Mr. Smith replied that it would be a mixture, but the majority would probably be for sale.

Mr. Ruggiero suggested that this petition should remain at a pre-application stage pending the TRC review(s). It was agreed that the TRC would be made up on Mr. Marks, Mr. DiMauro and Mr. Hughes, with Mr. Moniz as an alternate member. Mr. Spencer and any other relevant Town officials would also be involved. Mr. Ruggiero suggested that this petition could be continued to the January meeting, noting that it would not be heard if the TRC meeting had not been held. The Chair stated that it might not make the January agenda and might be on the February agenda.

The Chair made a motion to authorize an Ad Hoc TRC group, consisting of Mr. Marks, Mr. DiMauro and himself, with Mr. Moniz as an alternate, in addition to any relevant Town officials. This group would meet as often as necessary prior to the petitioner returning to the Board. Mr. Hardy seconded the motion. The motion passed unanimously. Ms. Cote, Ms. Sylvester, Mr. Hughes, Mr. Corr, Mr. Moniz, Mr. DiMauro, Mr. McDonald and Mr. Hardy voted in favor.

9. Town Planner/Administrative Officer

A. Town Planner Items

1. Mr. Spencer stated that he had been in contact with **Grow Smart RI** regarding scheduling a training session titled **“Making Good Land Use Decisions”**. He noted that this training session was last held in this area in 2003. The session would take place over three evenings from 5:00 PM – 9:00 PM. The dates proposed by Grow Smart were January 22nd, January 29th and February 12th, 2009. Mr. Hardy stated that he participated in the 2003 training and that the quality was very good and the program was worthwhile. Mr. Spencer noted that the sessions would be held at the Judson Street Community Center.
2. Mr. Spencer stated that he had met with supervising planner Kevin Nelson of Statewide Planning regarding the **Comprehensive Community Plan Update** on the Friday before Thanksgiving. Mr. Spencer had given Mr. Nelson the most recent responses to the State regarding the update adding that he hoped that would be the final resubmission to the State. Mr. Nelson had indicated that the State would respond within thirty (30) days. Mr. Spencer stated that once the response from the State was received; he would put together a packet containing the proposed changes for review by the Board.
3. Mr. Hardy asked if a **workshop** could be scheduled regarding **zoning revisions** prompted by the Comprehensive Community Plan update. He suggested that revisions to the **fee schedule** should also be discussed. Mr. Spencer noted that January was already very full, with the following sessions scheduled:

January 5 – Mandatory training by Town Solicitor Andrew Teitz “Your Role as a Town Official”

January 6 – Regular Planning Board Meeting

January 15 – Special Planning Board Meeting – Sandy Woods Farm

January 22, January 29 and February 12 – Grow Smart Training

Mr. Hardy asked if these items could be added to the January 15th agenda. Mr. Spencer suggested that Mr. Hardy should meet with him during the day to map out the course for revisions.

B. Administrative Officer’s Report There was no report at this time.

10. Tiverton Planning Board

- A. Planning Board Budget – Fiscal Year 2010** The draft budget worksheet was distributed by the Chair (See file). The Chair noted that the budget was due to the Town Administrator that week. Mr. Corr asked about the status of the Administrative Officer account. Mr. Hughes stated that he had requested a meeting with Town Administrator, James Goncalo regarding that item. Mr. Corr proposed adding a line item for Administrative Officer in the amount of \$6,000, which has been the typical amount, budgeted in the past. A brief discussion ensued regarding the item and funds needed for the Zoning Ordinance rewrite. Mr. Hardy made a motion to approve the budget request, as amended, with \$6,000 for Administrative Officer and \$15,000 for the Zoning Ordinance rewrite. Mr. Moniz seconded the motion. The motion passed unanimously.

B. Countryview Estates Sewer Pump Generators Status Update This item was taken out of order, before item number 11.A (at Mr. Berlucchi's request). Mr. Berlucchi noted that the Town Council had extended Countryview's license only if the agreed upon dates were met for installation of the emergency generators at two of their sewer pump stations (See November 17, 2008 meeting minutes). He stated that one generator was in place and the other was on order with no anticipated delivery date. A discussion ensued regarding whether or not the license would be automatically revoked if the deadline for installation were not met. Mr. Berlucchi stated that his understanding was that the license would be automatically revoked if the December 18th deadline were not met. Mr. Spencer stated that he thought revocation would require an additional vote of the Town Council. Mr. Berlucchi suggested that the Town Council's meeting minutes should be consulted.

C. Miscellaneous There was no discussion regarding this item.

D. Correspondence There was no discussion regarding this item.

E. Approval of Minutes:

November 17, 2008 There was no discussion of this item because the minutes were not yet available.

F. Adjournment: Mr. Corr made a motion to adjourn. Mr. Hardy seconded the motion. The motion passed unanimously. Ms. Cote, Ms. Sylvester, Mr. Hughes, Mr. Corr, Mr. Moniz, Mr. DiMauro, Mr. McDonald and Mr. Hardy voted in favor.

The meeting adjourned at 10:20 P.M.

(Italicized words represent corrections made on the approved date.)

Submitted by: _____

Kate Michaud

Approval Date: January 6, 2009